

# **EXHIBIT E**

DATE: December 14, 2007  
TO: Rafael Barba  
FROM: Mike Abbamondi  
RE: Performance Improvement Plan

This letter is a formal notification to inform you that your overall performance is not at a satisfactory level. Specifically, your low performance to Op plan is unacceptable and need to be corrected.

Specific examples of your substandard performance include:

- Rafael's performance to Op Plan is 72.4% at the end of October 2007. The ISR team (without Rafael's) is averaging 86.1%.

You will be measured on the criteria noted in the table attached to this Performance Improvement Plan ("PIP"):

During the period of the PIP from December 17, 2007 to March 14, 2008, I will work with you closely to provide ongoing support and feedback. I encourage you to ask for guidance if you are in need of further clarification or direction. We will meet at our weekly scheduled 1 on 1 time to review the status of your performance. In the event that you do not significantly improve and sustain your performance during and beyond this time, further disciplinary action will be taken, up to and including termination of your employment. If you successfully complete this PIP and we thereafter find your performance unacceptable, you will be subject to further disciplinary action, up to and including termination of your employment, without first placing you on a subsequent Performance Improvement Plan.

Rafael, I sincerely hope that you will be successful in improving these performance areas. I am available to assist you at any time during this process.

Sincerely,

  
Mike Abbamondi

I have read and understood the above.

  
Rafael Barba

cc: HR Manager

12/14/07

Date

*I have signed this but I do not agree that it accurately represents my performance and I reserve the right to void comments within the next 30 days. RJ*

GE 0072



DATE: March 25, 2007  
TO: Rafael Barba  
FROM: Mike Abbamondi  
RE: Performance Improvement Plan -- Extension of Original PIP dated 12-14-08 due to territory change at Rafael Barba's request.

This letter is a formal notification to inform you that your overall performance is not at a satisfactory level. Specifically, your low performance to Op plan is unacceptable and need to be corrected.

Specific examples of your substandard performance include:

- Rafael's performance to Op Plan is 71.33% at the end of December 2007. The ISR team (without Rafael's) is averaging 86.1%.
- 2 LTL activates in 2007 (team avg 33) / 0 YTD in 2008
- 4 Trailers sold in 2007 (team avg 20) / 0 YTD 2008

You will be measured on the criteria noted in the table attached to this Performance Improvement Plan ("PIP"):

During the period of the PIP from March 25, 2008 to June 11, 2008, I will work with you closely to provide ongoing support and feedback. I encourage you to ask for guidance if you are in need of further clarification or direction. We will meet at our weekly scheduled 1 on 1 time to review the status of your performance. In the event that you do not significantly improve and sustain your performance during and beyond this time, further disciplinary action will be taken, up to and including termination of your employment. If you successfully complete this PIP and we thereafter find your performance unacceptable, you will be subject to further disciplinary action, up to and including termination of your employment, without first placing you on a subsequent Performance Improvement Plan.

Rafael, I sincerely hope that you will be successful in improving these performance areas. I am available to assist you at any time during this process.

Sincerely,

  
Mike Abbamondi

I have read and understood the above.

  
Rafael Barba

3/25/08. -  
Date

cc: HR Manager

GE 0074

Improvement / Development Needs (What specific improvement/development needs have been identified?)	Action Steps (What improvement / development actions are to be taken ?)	Target dates When should each action be completed	Progress Reviews (How often to meet)
LTL activates = 0	<ul style="list-style-type: none"> <li>Achieve 3 units activates in LTL</li> </ul>	<ul style="list-style-type: none"> <li>June 11, 2008</li> </ul>	Weekly
Units sold = 0	<ul style="list-style-type: none"> <li>Achieve 8 units sold</li> </ul>	<ul style="list-style-type: none"> <li>June 11, 2008</li> </ul>	Weekly
Rental	<ul style="list-style-type: none"> <li>Achieve 200 rental activates</li> </ul>	<ul style="list-style-type: none"> <li>June 11, 2008</li> </ul>	Weekly

Employee Name: Rafael Barba

Manager Name: Mike Abbamondi



